

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS FELICIANO MUNOZ AND AIR AMERICA, INC, PLAINTIFFS VS. FRED REBARBER OCASIO DEFENDANT	CIVIL NO. 16-02719 (MEL) Breach of Contract
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MOTION OF A SHORT EXTENSION OF TIME AND TO CLARIFY

TO THE HONORABLE COURT:

COMES NOW, Defendant **Fred Rebarber Ocasio** through the undersigned counsel, and pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Civil Rule 56(b) respectfully move the Court to dismiss Plaintiffs' cause of action as alleged in the First Amended Complaint alleging breach of contract.

1. Defendant was granted a request to file a surreply in opposition to Plaintiffs' reply to summary Judgment.
2. Even though exercising proper diligence, due to an extraordinary work load of this attorney's office, mainly related to an Appeal in case number AC2017-0076, before the Supreme Court of Puerto Rico, Defendant has not been able to complete the preparation of the surreply.
3. For such reason, a short extension of time of five working (5) days, to end on Monday April 16, 2018, is hereby requested to file it.
4. The short period extension of time requested does not constitute an unreasonable request, given that does affect adversely the interests of the parties and or the Court.

5. For said reason Defendant prays that the extension of time should be granted.
6. On another matter, on March 20, 2018, Plaintiffs requested an extension of time of 30 days, (until April 20, 2018), for filing the Pretrial Report.
7. The Court granted such request and set April 20, 2018, to file it.
8. It is this party's understanding that on a previous Order [52], the Court had already set the deadline for the joint proposed Pretrial Report for August 20th, 2018.
9. Defendant request the Court to clarify what seems to be a discrepancy of dates, and if in fact there is one, Defendant requests to maintain August 20, 2018 as the deadline for the parties to file the Pretrial Report.

RESPECTFULLY SUBMITTED.

In Caguas, Puerto Rico, this 9th day of April, 2018.

WE HEREBY CERTIFY: that on this date, we electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system that will send notification of such filing to all attorneys of record registered in the use of the CM/ECF system.

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